

## **REMARKS**

This Amendment is responsive to the Office Action of January 14, 2008.

Applicant hereby requests a three-month extension of time and is separately submitting the appropriate fee. This Amendment accompanies a renewed Request for Continued Examination (the original was filed on 1/23/08), an Information Disclosure Statement (spread across two documents), and a *Petition to Accept First Supplemental Reissue Application Declarations of Non-Signing Inventors Victor Sanchez and Alberto Ceja Pursuant to 37 C.F.R. 1.47(a)*. The Director is authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account Number 01-1960.

Applicant gratefully acknowledges the Examiner's review of this case in the prior Office Action. Only two minors issues remain.

### **A. Claim 48 - Section 112 Rejection**

The Office Action notes that Claim 48 refers to "said forcing," but Claim 45 from which it depends does not provide an antecedent basis. In response, Applicant has amended Claim 48 so that it refers to the "removing" of Claim 45, rather than "forcing." Applicant thanks the Examiner for noting this discrepancy.

### **B. Reissue Declaration**

The Office Action indicates that the reissue declaration that was previously submitted with this application is defective because it fails to identify at least one error which is relied upon to support the reissue application. The Office Action also rejects Claims 38-63 as being based upon a defective reissue declaration.

In order to resolve this issue, Applicant prepared a revised reissue declaration entitled "First Supplemental Reissue Application Declaration by the Inventor" (emphasis added) and asked each of the three inventors to execute the new declaration. Rigoberto Anguiano executed the declaration, but as before, Victor Sanchez And Alberto Ceja did not execute their copies.

In order to re-secure Rule 47(a) status for this application, Applicant has submitted a *Petition to Accept First Supplemental Reissue Application Declarations of Non-Signing Inventors Victor Sanchez And Alberto Ceja Pursuant to 37 C.F.R. §1.47(a)*.

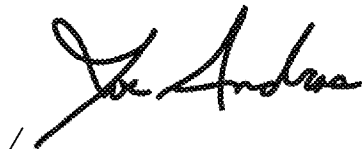
Thus, claims 38-63 are in condition for allowance pending only the attainment of Rule 47(a) status.

### **C. Summary**

It now appearing that this reissue patent application is ready for issue, Applicant earnestly solicits a notice of allowance so that it can promptly secure a reissue patent containing allowable claims 38-63. Applicant invites the Examiner to call the undersigned attorney if it appears that a phone conference would further this case in any way.

Respectfully submitted,

Dated: July 8, 2008



\_\_\_\_\_  
Joseph C. Andras, Registration No. 33,469  
MYERS, DAWES ANDRAS & SHERMAN LLP  
19900 MacArthur Blvd., Suite 1150  
Irvine, CA 92612